

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

GENERAL MOTORS LLC IGNITION SWITCH LITIGATION

14-MD-2543 (JMF)

This Document Relates To:
Atz v. General Motors LLC, 15-CV-5222
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ORDER OF DISMISSAL

JESSE M. FURMAN, United States District Judge:

On April 6, 2020, the Court granted the motion by Bailey Cowan Heckamann PLLC and Pulaski Law Firm, PLLC (the “Firms”) to withdraw from their representation of Sederick Green and Sunita Bhandari (collectively, the “Affected Plaintiffs”). *See* 14-MD-2543, ECF No. 7836 (the “April 6 Order”). Pursuant to the April 6 Order, the Affected Plaintiffs had ninety days — until July 6, 2020 — to file, in the form of a new lawsuit, an amended and severed complaint as well as a Related Case Statement in the United States District Court for the Southern District of New York, and to pay any filing fee associated with filing a complaint pursuant to 28 U.S.C. § 1914(a). *Id.* ¶ 3. On July 9, 2020, pursuant to Paragraph 5 of the April 6 Order, New GM filed a First Notice of Non-Compliance pertaining to the Affected Plaintiffs’ failure to comply with the April 6 Order and requested that the Court dismiss their claims without prejudice. *See* 14-MD-2543, ECF No. 8033.

In light of Mr. Green’s failure to file an amended and severed complaint by the deadline set in the April 6 Order, his claims are hereby DISMISSED *without* prejudice. Per Paragraph 6 of the April 6 Order, should Mr. Green file an amended and severed complaint, a Related Case Statement, and a filing fee **within the next thirty days**, his dismissal will be

vacated. If Mr. Green does *not* submit the requisite filings **within the next thirty days**, New GM may move to dismiss his claims with prejudice. *See* April 6 Order ¶ 6.

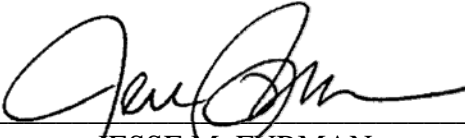
The Court declines, however, to dismiss Ms. Bhandari's claims at this time. Yesterday, the Court received a letter from Ms. Bhandari, in which she suggests that she "was waiting [for a] document from the court" before filing an amended and severed complaint. *See* 15-CV-5222, ECF No. 317. Upon reviewing Ms. Bhandari's letter and attachments, it appears that she has received all of the documents she needs; the missing pages are cover sheets without any substantive information. Nevertheless, in light of the misunderstanding and Ms. Bhandari's apparent intent to continue pursuing her claims — and out of an abundance of caution, mindful that Ms. Bhandari is now proceeding *pro se* — the Court EXTENDS Ms. Bhandari's deadline to file an amended and severed complaint to **thirty days from the date of this Order**. If Ms. Bhandari fails to file an amended and severed complaint in the United States District Court for the Southern District of New York on or before **August 9, 2020**, and to pay any filing fee associated with filing a complaint pursuant to 28 U.S.C. § 1914(a), New GM may file another notice that will result in Ms. Bhandari's dismissal without prejudice.

In light of the process set forth in the April 6 Order and above, the Clerk of Court should not terminate Mr. Green as a party at this time. The Court will direct the Clerk of Court to do so if or when Mr. Green claims are dismissed with prejudice.

In accordance with the April 6 Order, New GM shall serve a copy of this Order on the Affected Plaintiffs and file proof of such service. *See* April 6 Order ¶ 5.

SO ORDERED.

Dated: July 10, 2020
New York, New York



JESSE M. FURMAN
United States District Judge